



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MATTINGLY ET AL  
SERIAL NO: 10/074,700  
FILED: 2/13/02

§ EXAMINER: TATE, C.  
§ GROUP ART UNIT: 1654  
§ DOCKET: 97012/07CIP  
§  
§  
§

FOR: FORMULATIONS AND METHODS  
FOR INSECT CONTROL

<u>EV 333 399 221 US</u> Number	<b>CERTIFICATE OF MAIL BY EXPRESS MAIL</b>	<u>September 13, 2004</u> Date of Deposit
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the:		
Commissioner of Patent MS RESPONSE NO FEE P.O. Box 1450 Alexandria, VA 22313-1450		
Robert W. Stachler		<u>September 13, 2004</u> Date of Signature

## RESPONSE TO 11 JUNE 2004 FINAL OFFICE ACTION

Dear Examiner Tate:

In response to the Non-Final Office Action dated 11 June 2004 Applicants submit the following amendments and remarks:

### SUMMARY OF NON-FINAL OFFICE ACTION

Claims 35-59	112, 1 <sup>st</sup> paragraph
Claims 51-59	112, 2 <sup>nd</sup> paragraph - various issues
Claim 23-26 and 28-34	102(b), Jong et al. + ATCC Catalogue
Claims 23-26 and 28-34	102(b), Kobayashi + ATCC Catalogue
Claims 23-26 and 28-34	102(b), Nippon Life KK + ATCC Catalogue
Claims 23-26, 28-30 & 32-34	102(b), Matsuda + ATCC Catalogue
Claims 23-26, 28-30 & 32-34	102(b), Kobayashi et al. + ATCC Catalogue
Claims 23-26, 28-30 & 32-34	102(b), ATCC Catalogue
Claims 23-26 and 27-34	103(a), Jong et al. + ATCC Catalogue, Kobayashi + ATCC Catalogue, Nippon Life KK + ATCC Catalogue, Matsuda + ATCC Catalogue, Kobayashi et al. + ATCC Catalogue or ATCC Catalogue